

Message Text

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11

ACTION L-02

INFO OCT-01 EA-06 IO-10 ISO-00 SSO-00 NSCE-00 USIE-00

INRE-00 CIAE-00 DODE-00 PM-03 H-01 INR-07 NSAE-00

NSC-05 PA-01 RSC-01 PRS-01 SP-02 SS-15 EUR-12 /067 W

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O R 290555Z DEC 74

FM AMEMBASSY SAIGON

TO SECSTATE WASHDC IMMEDIATE 1432

INFO AMEMBASSY BERN

USMISSION GENEVA

USDEL JEC PARIS

C O N F I D E N T I A L SAIGON 15880

E.O. 11652: GDS

TAGS: PFOR, UN SZ, ICRC, VS

SUBJECT: U.S. RESPONSE TO "PRG" ACCESSION TO GENEVA CONVENTION

REF: (A) STATE 281887, (B) SAIGON 15801, (C) SAIGON 15732

1. SINCE FROM REF A WE ASSUME DEPARTMENT HAS DECIDED IT IMPERATIVE TO SEND NOTE ON SUBJECT TO SWISS GOVERNMENT, OUR ONE REMAINING PROBLEM IS THAT AMENDMENT PROPOSED PARA 1 OF REF A TO FINAL PARAGRAPH OF TEXT OF NOTE GIVEN IN PARA 6 OF REF B STILL CARRIES IMPLICATION OF REINTRODUCTION OF US GROUND MILITARY FORCES INTO SVN, A POINT TO WHICH WE HAVE STRONGEST OBJECTIONS (REFS B AND C).

2. WE CONTINUE TO BELIEVE FINAL PARA UNNECESSARY, AS WE CANNOT SEE HOW VIEWS EXPRESSED IN NOTE CAN IN ANY WAY BE CONSTRUED TO INDICATE CHANGE IN US POLICY WITH RESPECT TO CONVENTIONS. #923;34, IF IT IS STILL DESIRED TO UNDERScore THIS FACT, WE PROPOSE AMENDING DEPARTMENT'S PROPOSED WORDING SO AS TO ELIMINATE ANY POSSIBLE IMPLICATION OF US REINTRODUCTION OF TROOPS INTO SVN WHILE AT THE SAME TIME MEETING THE DEPARTMENT'S POINT CONCERNING "ALL" HOSTILE ARMED FORCES. BY INSERTING WORD "HERETOFORE" BETWEEN THE WORDS "POLICY" AND "PURSUED" AND BY CHANGING THE WORD "OF" TO "IN"

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WE WILL HAVE MADE CLEAR THE UNIVERSALITY OF OUR PAST APPLICATIONS

OF THE CONVENTIONS, WHICH OBVIOUSLY INCLUDE VIET-NAM, WITHOUT
LIMITING OUR FREEDOM TO APPLY THEM IN THE FUTURE AS WE DETERMINE
NECESSARY IN PARTICULAR CASES SUCH AS THE PLO. BY ADDITIONALLY
OMITTING THE WORD "ALL" WE ELIMINATE THE ELEMENT OF FUTURE UNIVERSALI
TY
TO WHICH EXCEPTION HAS BEEN TAKEN. DELETION OF PHRASE "WHILE
INVOLVED IN THE ARMED CONFLICT IN VIET-NAM" REMOVES THE OBJECTIONABLE
IMPLICATION OF REINTRODUCTION OF US GROUND FORCES. PARAGRAPH WOULD
THEN READ:

3. QUOTE THE GOVERNMENT OF THE UNITED STATES NOTES THAT THE
VIEWS EXPRESSED IN THIS NOTE SHOULD NOT BE UNDERSTOOD AS IMPLYING
ANY WITHDRAWAL FROM THE POLICY HERETOFORE PURSUED BY ITS ARMED FORCES
IN ACCORDING THE TREATMENT PROVIDED BY THE CONVENTIONS TO HOSTILE
ARMED FORCES. END QUOTE.

4. WE ASSUME DEPARTMENT WILL CONSULT WITH US ABOUT ANY FURTHER
PROPOSED CHANGE.
MARTIN

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NNN

Message Attributes

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